

**§ 423.3 Other process directed to the Social Security Administration or the Commissioner.**

Subpoenas and other process (other than summonses and complaints) that are required to be served on the Social Security Administration or the Commissioner of Social Security in his or her official capacity should be served as follows:

(a) If authorized by law to be served by mail, any mailed process should be sent to the General Counsel, Social Security Administration, Room 611, Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235.

(b) If served by an individual, the process should be delivered to the mail room staff in the Office of the General Counsel, Room 611, 6401 Security Blvd., Baltimore, MD 21235 or, in the absence of that staff, to any Deputy General Counsel or secretary to any Deputy General Counsel of the Social Security Administration.

**§ 423.5 Process against Social Security Administration officials in their individual capacities.**

Process to be served on Social Security Administration officials in their individual capacities must be served in compliance with the requirements for service of process on individuals who are not governmental officials. The Office of the General Counsel is authorized but not required to accept process to be served on Social Security Administration officials in their individual capacities if the suit relates to an employee's official duties.

**§ 423.7 Acknowledgment of mailed process.**

The Social Security Administration will not provide a receipt or other acknowledgment of process received, except for a return receipt associated with certified mail and, where required, the acknowledgment described in rule 4(e) of the Federal Rules of Civil Procedure (28 U.S.C. App. 4(e)).

**§ 423.9 Effect of regulations in this part.**

The regulations in this part are intended solely to identify Social Security Administration officials who are authorized to accept service of process.

Litigants must comply with all requirements pertaining to service of process that are established by statute and court rule even though they are not repeated in this part.

**PARTS 424—497 [RESERVED]**

**PART 498—CIVIL MONETARY PENALTIES, ASSESSMENTS AND RECOMMENDED EXCLUSIONS**

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AUTHORITY: Secs. 702(a)(5) and 1140 of the Social Security Act (42 U.S.C. 902(a)(5) and 1320b-10).

SOURCE: 60 FR 58226, Nov. 27, 1995, unless otherwise noted.

**§ 498.100 Basis and purpose.**

(a) *Basis.* This part implements section 1140 of the Social Security Act (42 U.S.C. 1320b-10).

(b) *Purpose.* This part provides for the imposition of civil monetary penalties against persons who—

(1) [Reserved]

(2) Misuse certain Social Security program words, letters, symbols, and emblems.

**§ 498.101 Definitions.**

As used in this part:

*Agency* means the Social Security Administration.

*Commissioner* means the Commissioner of Social Security or his or her designees.

*Department* means the U.S. Department of Health and Human Services.